

Message Text

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44

ACTION ARA-10

INFO OCT-01 ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00 CIAE-00

DODE-00 PM-03 H-02 INR-07 L-02 NSAE-00 NSC-05 PA-02

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DLOS-05 CG-00 DOTE-00 /064 W
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FM AMEMBASSY QUITO

TO SECSTATE WASHDC IMMEDIATE 4481

INFO AMCONSUL GUAYAQUIL IMMEDIATE

UNCLAS QUITO 1154

E.O. 11652: N/A

TAGS: EFIS, EC, PLOS, PFOR

SUBJ: NEW REGULATIONS GOVERNING CONFISCATION OF CATCH

1. FOLLOWING IS EMBASSY'S UNOFFICIAL TRANSLATION OF A
REGULATION ISSUED BY MINISTRY OF NATURAL RESOURCES ON
FEBRUARY 12, 1975, COPY OF WHICH OBTAINED BY EMBASSY FEB 17.

2. BEGIN TEXT. THE MINISTRY OF NATURAL RESOURCES AND
ENERGY CONSIDERING:

THAT ARTICLE 1 OF SUPREME DECREE #111 OF FEBRUARY 5,
1975, AUTHORIZES THE MINISTRY OF NATURAL RESOURCES AND
ENERGY, WITH PRIOR AGREEMENT OF THE OFFICE OF THE COMMANDING
GENERAL OF THE NAVY, TO REGULATE THE ADMINISTRATION AND
UTILIZATION OF THE FISH CONFISCATED IN ACCORDANCE WITH
ARTICLE 87 OF THE FISHING LAW.

THAT THIS REGULATION HAS BEEN MADE IN COORDINATION
WITH THE OFFICE OF THE COMMANDING GENERAL OF THE NAVY,
WHICH IS DEMONSTRATED IN OFFICIAL MEMORANDUM #JEJ NMA-
IMA-58-033-0 OF FEBRUARY 7, 1975 OF THAT INSTITUTION,
AGREES TO ISSUE THE FOLLOWING REGULATION FOR THE
ADMINISTRATION AND UTILIZATION OF THE FISH WHICH ARE
CONFISCATED FROM VIOLATING-FOREIGN-FLAG VESSELS:

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ARTICLE 1. THE FISH WHICH ARE CONFISCATED FROM A

FOREIGN-FLAG VESSEL WHICH HAS BEEN CAUGHT UNAWARES IN TERRITORIAL WATERS WITHOUT A MATRICULA OR LICENSE TO FISH, SHOULD BE TURNED OVER BY THE CAPTAIN AT THE SIDE OF THE PIER OF THE PORT DESIGNATED BY THE DIRECTORATE GENERAL OF FISHERIES.

ARTICLE 2. THE NAVY AND THE STATE FISHING CORPORATION, BENEFICIARIES IN EQUAL PARTS OF THE CONFISCATED FISH, WILL SELL IT WITH PREFERENCE TO THOSE FISHING COMPANIES LOCATED IN THE COUNTRY AT A PRICE WHICH WILL NOT BE LESS THAN THAT EXISTING ON THE LOCAL MARKET, OR THEY CAN PROCESS IT AT THEIR OWN EXPENSE IF THEY SO DECIDE.

THE PROCESSED FISH WHICH ARE OBTAINED WILL BE DESIGNATED WITH PREFERENCE FOR THE NATIONAL MARKET. DISTRIBUTION WILL BE MADE VIA STORES BELONGING TO THE STATE, COMMISARIES OF PUBLIC ENTITIES, OF WORKERS OR OF ANY OTHER SYSTEM FOR SALE AVAILABLE FOR POPULAR CONSUMPTION.

IF THERE IS AN EXCESS, IT MAY BE SOLD IN FOREIGN MARKETS.

ARTICLE 3. IF THERE IS NOT SUFFICIENT REFRIGERATED SPACE AVAILABLE IN THE COUNTRY IN WHICH TO DISCHARGE THE CONFISCATED FISH, THE DIRECTOR GENERAL OF FISHERIES WILL DISPOSE THAT THE CAPTAINS OF THE SANCTIONED VESSELS OR THEIR REPRESENTATIVES PAY THE VALUE OF SAID FISH AT THE LOCAL MARKET PRICE PLUS A MINIMUM CHARGE OF 25 PERCENT IN ORDER TO BE ABLE TO SAIL WITH IT. THIS FISH WILL NOT BE CONSIDERED EXPORT MERCHANDISE. THE SAME TREATMENT WILL BE EXTENDED TO CONFISCATED FISH WHICH IS FOUND TO BE COVERED BY ARTICLE 4 OF DECREE #111 OF FEBRUARY 5, 1975.

DONE IN QUITO, THE 12TH OF FEBRUARY 1975. LUIS SALAZAR LANDETA, REAR ADMIRAL, MINISTER OF NATURAL RESOURCES AND ENERGY. END TEXT.
BRESTER

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